



## COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REQUEST FORM

The Board of County Commissioners meets the 1st and 3rd Thursday of each month at 5:30 p.m. in the Columbia County School Board Administrative Complex Auditorium, 372 West Duval Street, Lake City, Florida 32055. All agenda items are due in the Board's office one week prior to the meeting date.

Today's Date: 5/30/2019 Meeting Date: 6/6/2019

Name: Joel Foreman Department: County Attorney

Division Manager's Signature:

A handwritten signature in blue ink, appearing to be "J. Foreman", is written over the signature line.

### 1. Nature and purpose of agenda item:

Review and approval of Interlocal Agreement with School Board for Five Points Elementary School

### 2. Recommended Motion/Action:

To approve the Interlocal Agreement for the Relocation of Fencing, Removal of Trees, Maintenance, and Property Exchange at Five Points Elementary.

### 3. Fiscal impact on current budget.

This item has no effect on the current budget.

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**MEMORANDUM**

To: Board Agenda

From: Joel F. Foreman

**Re: Interlocal Agreement with School Board for Five Points Elementary School**

Date: May 30, 2019

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During the first meeting in May, Asst. County Manager Kirby briefed the Board on the mechanics of a proposed Interlocal Agreement with the School Board for the performance of certain work by County forces in exchange for a donation of land west of Five Points Elementary to the County. At that meeting the Board approved the conceptual agreement but made clear the draft of the agreement needed to be presented to the Board when ready.

Attached is a proposed Interlocal prepared by this office that accomplishes the objectives of the Board and staff discussed at the May meeting. There are additional parcels and unimproved right-of-ways around the school that will be addressed at a later date as those entail more process than the Interlocal contemplates.

**Recommended Motion:** To approve the Interlocal Agreement for the Relocation of Fencing, Removal of Trees, Maintenance, and Property Exchange at Five Points Elementary.

**INTERLOCAL AGREEMENT FOR THE  
RELOCATION OF FENCING, REMOVAL OF TREES, MAINTENANCE,  
AND PROPERTY EXCHANGE AT FIVE POINTS ELEMENTARY**

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and between the **COLUMBIA COUNTY, FLORIDA**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as the “County” and the **COLUMBIA COUNTY SCHOOL BOARD**, a public agency of the State of Florida, hereinafter referred to as the “School Board”.

**WHEREAS**, the School Board owns real property identified as Parcel ID No 19-3S-17-05098-000, lying immediately west of Five Points Elementary School (the “Property”);

**WHEREAS**, the School Board has requested the use of County forces to make improvements and alterations to the Property;

**WHEREAS**, the County has maintained a public park (the “Park”) upon the Property for several years, and desires to acquire that part of the Property which includes the Park; and

**WHEREAS**, as consideration for the School Board’s donation of certain lands to the County, the County is prepared to furnish its forces to complete the improvements and alterations of the Property for the School Board’s benefit, all subject to this Agreement.

**NOW, THEREFORE**, in consideration of the foregoing and the mutual promises and covenants herein contained, the parties agree as follows:

1. **RECITALS INCORPORATED.** The recitals above are true and correct and are incorporated herein by reference.
2. **COMPLETION OF IMPROVEMENTS AND ALTERATIONS**
  - a. The County shall relocate or remove the fence lying just west of the western-most building at Five Points Elementary, running from NW Johnson Street to NW Quinten Street, as well as the backstop fencing at the baseball field just west of that fence.
  - b. The County shall relocate to or construct, upon a line that will be the new western border of the Five Points Elementary campus, the fence removed pursuant to section a. above or such fencing as is supplied at the School Board’s cost.
  - c. The County shall remove and haul away trees standing upon the Property west of the westernmost building on the Five Points Elementary campus and east of the new western boundary of the campus.
  - d. The County shall clear of all debris from the drainage ditch lying west of the westernmost building and shall install a drainpipe to the immediate west of the westernmost building.
3. **CONVEYANCE OF SCHOOL BOARD LANDS TO COUNTY**
  - a. As consideration for the County’s performance of the work set forth in section 2, the School Board shall cause to be conveyed to the County an outparcel of the

Property described on the survey attached as Exhibit "A". Such conveyance shall be in fee simple and by good and sufficient deed as reasonably required by the County, and shall be without reverter.

4. **EFFECTIVE DATE.** Pursuant to Section 163.01 (11), Florida Statutes, this Agreement, executed by the parties hereto, shall be effective immediately upon filing with the Clerk of the Circuit Court of Columbia County.

**IN WITNESS WHEREOF**, the parties hereto have executed this agreement by their duly authorized officials on the date set forth above.

**COLUMBIA COUNTY BOARD  
OF COUNTY COMMISSIONERS**

**COLUMBIA COUNTY  
SCHOOL BOARD**

\_\_\_\_\_  
Ron Williams, Chair

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Dana Glenn Brady-Giddens, Chair

ATTEST:

ATTEST:

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P. DeWitt Cason, Clerk

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Alex L. Carswell, Jr., Superintendent  
Columbia County School District

APPROVED AS TO FORM:

APPROVED AS TO FORM:

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Joel F. Foreman, County Attorney

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Meagan Logan, School Board Attorney